

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

BRENDA J. VALENTINE )  
4501 Clermont Dr. NE #102 )  
Washington, DC 20011 )

Plaintiff, )

v. )

THE HEALTH & WELLNESS CENTER, )  
INC. )

**Registered Agent:** )

Registered Agents, Inc. )  
4445 Corporation Lane, Suite 264 )  
Virginia Beach, VA 23462 )

Defendant. )

Civil Action No.: \_\_\_\_\_

**JURY TRIAL DEMAND**

**COMPLAINT FOR RELIGIOUS DISCRIMINATION**

COMES NOW, Plaintiff Brenda J. Valentine, by counsel, and in support of her Complaint, sets forth as follows:

**NATURE OF THE ACTION**

As more fully illustrated in her Charge of Discrimination filed September 20, 2017, *Brenda J. Valentine v. Dr. Berg Health and Wellness Center/Dr. Berg Nutritionals*, 570-2017-02199 with the Washington Field Office of the Equal Employment Opportunity Commission (“EEOC”), this is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of religion and to provide appropriate relief to Plaintiff who was adversely affected by such practices. As stated with greater particularity in her Charge of Discrimination, which is incorporated herein, Plaintiff alleges that she was demoted and subsequently terminated and retaliated against for requesting an accommodation, and for complaining of discriminatory conduct.

### **JURISDICTION AND VENUE**

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331. This action is authorized and instituted pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq., and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981A.

2. Venue is properly set in the United States District Court for the Eastern District of Virginia pursuant to 28 U.S.C. § 1391.

### **PROCEDURAL HISTORY:**

3. More than thirty days prior to the institution of this lawsuit, Plaintiff filed a charge with the EEOC alleging violations of Title VII by the Defendant. On September 20, 2017 Plaintiff filed her charge of discrimination with the EEOC, Charge No. 570-2017-02199. See Exhibit A. The EEOC found reasonable cause to believe the violations of the statutes occurred. After an attempt at conciliation, on August 20, 2020, the EEOC issued a right to sue letter. See Exhibit B. All other conditions precedent to the institution of this lawsuit have been fulfilled.

### **PARTIES**

4. Plaintiff Brenda J. Valentine is a resident of the District of Columbia and a Christian. She worked for Defendant beginning in 2010 as the Director of Marketing Assistance/New Client Scheduler until her termination on or about April 12, 2017.

5. Defendant The Health & Wellness Center, Inc. (“Defendant Dr. Berg Nutritionals”) is a Virginia corporation owned by Eric E. Berg (“Dr. Berg”) and his wife Karen Berg (“Mrs. Berg”). Dr. and Mrs. Berg each served as Plaintiff’s supervisor and had active roles in hiring, firing and disciplining employees including the Plaintiff. Defendant The Health & Wellness Center, Inc. operates under a fictitious name registered in Fairfax County and the City

of Alexandria, “Dr. Berg Nutritionals,” and has continuously been doing business in the Commonwealth of Virginia, and has continuously had at least fifteen (15) employees.

6. Dr. Berg is not a medical doctor. He is not licensed by The Virginia Board of Medicine as a medical doctor, doctor of osteopathy or podiatrist. Dr. Berg is a chiropractor, License No. 0104001851. Dr. Berg through his business “Dr. Berg Nutritionals” provides health and wellness advice sessions to his customers. He also sells unregulated nutritional supplements including, for instance, “Dr. Berg’s Advanced Digestive Formula” (a new formula with ginger, peppermint, anise and fennel to further support healthy digestion), “Raw Wheatgrass Juice Powder” (grown on soils, which were once an ancient sea bed in Utah), and “Hair Formula” (which replenishes an aging body with the nutrients that support strong, thick, and healthy hair). Dr. Berg is an active member of the Church of Scientology.

### **CLAIM**

7. At all relevant times, Defendant Dr. Berg Nutritionals has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

8. Defendant Dr. Berg Nutritionals engaged in unlawful employment practices at 7010 Little River Turnpike, Ste 430 Annandale, VA 22003 in violation of 703(a) of Title VII, 42 U.S.C. § 2000e-2(a).

9. Subsequently, Defendant Dr. Berg Nutritionals relocated to 4501 Ford Avenue, Alexandria, VA 22302.

10. The specifics of the violations contained in the Charge of Discrimination filed on September 20, 2017 attached hereto are incorporated herein. *See Exhibit A.*

11. The effect of the practices complained of in the Charge of Discrimination have been to deprive Plaintiff equal employment opportunities and, otherwise, adversely affected her status as an employee because of her religion and her complaints about discrimination.

12. The unlawful employment practices complained of in the Charge of Discrimination were intentional.

13. The unlawful employment practices were done with malice or with reckless indifference to the federally protected rights of Plaintiff.

14. Defendant Dr. Berg Nutritionals discriminated against Plaintiff by failing to accommodate her religious needs, demoting her for complaining about religious discrimination, and by terminating her in violation of Title VII.

15. Defendant Dr. Berg Nutritionals' treatment of Plaintiff altered the conditions of her employment by subjecting her to adverse employment actions concerning terms, conditions, and privileges of employment on the basis of her religion and her legitimate religious needs.

16. The management and operations of Dr Berg Nutritionals are guided by program materials authorized by L. Ron Hubbard. Employees are required to read, understand and apply the teachings of L. Ron Hubbard and their performance will be evaluated pursuant to the standards of Scientology. Attendance at these programs were mandatory and were paid for by Dr Berg, Karen Berg and/or Defendant Dr. Berg Nutritionals. Employees were to be paid (a ½ rate) for the attendance at the programs sponsored by the Church of Scientology at the Church of Scientology. Failure to attend programs led to discipline and termination. Frequent attendance was tied to advancement. Discipline was also meted out through written "Knowledge Reports." The Knowledge Report is a feature of Scientology. It is a written report every Scientologist is required to write if they witness something non-optimal in a Scientology organization or in the

actions or in-actions of other Scientologists. At Defendant Dr Berg Nutritionals, Knowledge Reports were issued regularly and sometimes accompanied by enhanced video surveillance of employees to ensure they were adhering to the standards professed by L. Ron Hubbard.

17. After first being hired, Plaintiff was progressively promoted at Defendant Dr. Berg Nutritionals because she attended mandatory meetings sponsored by the Church of Scientology.

18. Plaintiff was then demoted and terminated because she objected and declined, consistent with the dictates of her religion as a sincere religious observant, to attending an employer-sponsored trip into international waters upon a "Sea Org" ship and other indoctrination programs sponsored by the Church of Scientology.

19. The Sea Organization ("Sea Org") is a Scientology organization, which the Church of Scientology describes as a "fraternal religious order, comprising the church's most dedicated members." See "WHAT IS THE SEA ORGANIZATION?" available at <https://www.scientology.org/faq/church-management/what-is-the-sea-organization.html>. The Sea Org was established on August 12, 1967, by L. Ron Hubbard, the founder of Dianetics and Scientology. According to Mr. Hubbard, much of the galaxy, including Earth (known as "Teegeeack"), was ruled tens of millions of years ago by the Galactic Confederacy. The confederacy was controlled by a tyrant named Xenu, who was eventually overthrown by a group within the Galactic Confederacy known as the "Loyal Officers." The Sea Org is modeled after these Loyal Officers. Sea Org members wears naval uniforms with insignia delineating their ranks. Sea Org activities occur in international waters which make it immune from any terrestrial government regulations. Members who leave the Sea Org are issued a "freeloader's bill" retroactively billing them for any auditing or training they have received. Sea Org members

may marry one another, but are not permitted to marry outside the organization. The Rehabilitation Project Force (RPF) was created in January 1974 as a system of work camps set up by the Sea Org, intended to isolate and rehabilitate members who have not lived up to the Church of Scientology's expectations. RPF areas are located within Sea Org facilities. Plaintiff Brenda J. Valentine was required by her employer to attend a Sea Org session and when she declined, she was demoted and fired.

20. Plaintiff could not agree to participate in the Sea Org indoctrination programs as required by Dr. Berg because she is a Christian. As an infant, Plaintiff was baptized as a Roman Catholic at St. Augustine's at 1419 V St NW, Washington, DC 20009. She attended Catholic School at St. Augustine's. She attended to all of her sacraments including First Holy Communion, Confession, and Confirmation. Her confirmation saint was Saint Theresa. She continued to attend mass at St. Augustine's until her mid-twenties, when she began attending protestant churches. She is presently a parishioner of Sword of the Spirit Ministries at 8601 Central Ave, Capitol Heights, Maryland. She has at all times been a practicing Christian though she no longer identifies herself as a Roman Catholic. According to the dictates of her faith and the principles of monotheism, she is prohibited from worshiping any other deities or participating in Scientology indoctrination programs, even as a part of her job.

21. In retaliation for Plaintiff's complaint about having to attend the Scientology indoctrination programs, she was demoted and terminated from her job by Defendant Dr. Berg Nutritionals.

22. In retaliation for Plaintiff requests for religious accommodation, and specifically, her request to be exempt from attending Church of Scientology indoctrination programs, she was demoted and terminated from her job.

23. Had the Defendant Dr. Berg Nutritionals not demoted and terminated Plaintiff, she would have continued working at her prior rank and earned wages and commissions which she did not receive.

24. As a result of the Defendant Dr. Berg Nutritionals' discriminatory and retaliatory suspension, demotion and wrongful conduct, Plaintiff has suffered other damages, including emotional distress, damage to her reputation, anxiety, nightmares, insomnia, humiliation, and loss of enjoyment of life as well as wages.

25. Plaintiff is entitled to an award of attorney's fees and costs Under Title VII, 42 U.S.C. § 2000e-5(k).

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Brenda J. Valentine respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant The Health & Wellness Center, Inc., its officers, successors, assigns, and all persons in active concert or participation with them, from engaging in discrimination and/or retaliation against any employee because of his or her religion and any other employment practice, which discriminates on the basis of religion.

B. Order Defendant The Health & Wellness Center, Inc. to institute and carry out policies, practices, and programs which provide equal employment opportunities for all their employees, regardless of religion, which eradicate the effects of their past and present unlawful employment practices.

C. Order Defendant The Health & Wellness Center, Inc. to institute and carry out policies, practices, and programs which provide reasonable accommodation on the basis of religion.

D. Order Defendant The Health & Wellness Center, Inc. to make whole Plaintiff Brenda J. Valentine by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of their unlawful employment practices, including but not limited to, reinstatement, rightful place promotion and/or front pay.

E. Order Defendant The Health & Wellness Center, Inc. to make whole Plaintiff Brenda J. Valentine by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices in amounts to be determined at trial.

F. Order Defendant The Health & Wellness Center, Inc. to make whole Plaintiff Brenda J. Valentine by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraph nine above, including but not limited to, emotional pain, suffering, inconvenience, loss of enjoyment of life and humiliation, in amounts to be determined at trial.

G. Order Defendant The Health & Wellness Center, Inc. to pay Plaintiff Brenda J. Valentine punitive damages for its malicious and reckless conduct described in paragraph eight above, in amounts to be determined at trial.

H. Award attorneys' fees and the costs of this action.

I. Grant such further relief as the Court deems necessary and proper in the public interest.

### **JURY TRIAL DEMAND**

Plaintiff Brenda J. Valentine requests a jury trial on all questions of fact raised by her Complaint.

Date: November 12, 2020.



Respectfully Submitted,  
Plaintiff  
By Counsel

/s/

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